

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:12-35664 Beverly Jackson

Chapter 13

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 42215 Acacia Avenue, Hemet, California 92544

MOVANT: DEUTSCHE BANK NATIONAL TRUST COMPANY

EH__

Docket 83

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT requests under ¶¶ 2 and 3.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Beverly Jackson

Represented By
Dana Travis

Movant(s):

Deutsche Bank National Trust

Represented By
Jenelle C Arnold

Trustee(s):

Amrane (RS) Cohen (TR)

Represented By

**United States Bankruptcy Court
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Hearing Room 303

10:00 AM

CONT... Beverly Jackson

Amrane (RS) Cohen (TR)

Chapter 13

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:14-25002 Maureen Janet Swenson

Chapter 13

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1407 Felicita Ct., Upland, CA 91786

MOVANT: U.S. ROF IV LEGAL TITLE TRUST 2015-1

EH__

Docket 44

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT requests under ¶¶ 2 and 3. Alternate request for adequate protection is
DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Maureen Janet Swenson

Represented By
Matthew D Resnik
S Renee Sawyer Blume

Movant(s):

U.S ROF IV Legal Title Trust 2015-

Represented By
Christina J O

**United States Bankruptcy Court
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Riverside
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Tuesday, November 08, 2016

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10:00 AM

CONT... Maureen Janet Swenson

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:15-17111 Christine Mourad Hanna

Chapter 13

#3.00 CONT Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 27888 Brucite Road, Barstow, CA 92311

MOVANT: WELLS FARGO BANK, N.A.

From: 6/7/16, 7/26/16, 8/23/16

EH__

Docket 52

Tentative Ruling:

Party Information

Debtor(s):

Christine Mourad Hanna

Represented By
Dana Travis

Movant(s):

Wells Fargo Bank, NA

Represented By
Kristin A Zilberstein
Senique Moore
John Chandler

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-13007 Ruby Lee Frazier

Chapter 13

#4.00 Motion for relief from the automatic stay with supporting declarations REAL
PROPERTY RE: 30902 CLUBHOUSE DR UNIT 27D, Laguna Niguel, CA 92677

MOVANT: THE BANK OF NEW YORK MELLON fka THE BANK OF NEW
YORK

EH__

Docket 31

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under § 362(d)(1)). GRANT relief from co-debtor stay
under § 1301(a). GRANT waiver of 4001(a)(3) stay. GRANT requests under ¶¶ 2, 3
and 12. Alternate request for adequate protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Ruby Lee Frazier

Represented By
Michael R Totaro

Movant(s):

THE BANK OF NEW YORK

Represented By
Angie M Marth

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

CONT... Ruby Lee Frazier

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-13246 Gwendolyn Washington

Chapter 13

#5.00 CONT Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2010 Mercedes Benz E-Class, VIN WDDHF5GB5AA094108

MOVANT: EXETER FINANCE CORP

From: 11/1/16

EH__

Docket 29

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT relief from the § 1301 co-debtor stay.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Gwendolyn Washington

Represented By
Julie J Villalobos

Movant(s):

Exeter Finance Corp.

Represented By
Marian Garza
Timothy J Silverman

**United States Bankruptcy Court
Central District of California
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10:00 AM

CONT... Gwendolyn Washington

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-14699 Thomas Boyd Chandler and Cynthia Lynn Chandler

Chapter 7

#6.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2008 CYPRESS M-37LSRE, VIN
1NFLS372580221263

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 22

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001
(a)(3) stay. GRANT requests under ¶¶ 2 & 12. Alternate request for adequate
protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Thomas Boyd Chandler

Represented By
Dina Farhat

Joint Debtor(s):

Cynthia Lynn Chandler

Represented By
Dina Farhat

**United States Bankruptcy Court
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Riverside
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Hearing Room 303

10:00 AM

CONT... Thomas Boyd Chandler and Cynthia Lynn Chandler

Chapter 7

Movant(s):

Santander Consumer USA Inc. an

Represented By
Sheryl K Ith

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-16143 Gordon Michael Coutts and Linda Marie Coutts

Chapter 7

#7.00 Motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: Lot 84, Phase II, Oyster Harbour, Supply, North Carolina 28462

MOVANT: PNC BANK NA

EH__

Docket 21

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001 (a)(3) stay. GRANT requests under ¶¶ 2 and 3.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Gordon Michael Coutts

Represented By
Roland D Tweed

Joint Debtor(s):

Linda Marie Coutts

Represented By
Roland D Tweed

Movant(s):

PNC Bank, N.A.

Represented By

**United States Bankruptcy Court
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Riverside
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10:00 AM

CONT... **Gordon Michael Coutts and Linda Marie Coutts**
Megan E Lees

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-16985 Demestrice Sherise Mathis

Chapter 13

#8.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2011 Chevrolet Cruze, VIN
1G1PG5S93B7241816

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 30

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT requests under ¶¶ 2 & 12. Alternate request for adequate protection is
DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Demestrice Sherise Mathis

Represented By
Stephen H Darrow

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

CONT... Demestrice Sherise Mathis

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Hearing Room 303

10:00 AM

6:16-17371 Eddy G Garrido

Chapter 7

#9.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 12258 Bali Street Victorville CA 92392

MOVANT: KI NAM

EH__

Docket 14

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under §§ 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT requests under ¶¶ 2 & 4.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Eddy G Garrido

Pro Se

Movant(s):

Ki Nam

Represented By
Barry L O'Connor

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Hearing Room 303

10:00 AM

6:16-17734 Shirley M Wilf

Chapter 7

#10.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2011 CHEVROLET AVEO, VIN
KL1TD6DE8BB149426

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 8

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001
(a)(3) stay. GRANT requests under ¶¶ 2 and 12. Alternate request for adequate
protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Shirley M Wilf

Represented By
Thomas E Brownfield

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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10:00 AM

CONT... Shirley M Wilf

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-17911 Elizabeth T Baker

Chapter 13

#11.00 CONT Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

MOVANT: ELIZABETH T. BAKER

From: 10/4/16, 11/1/16

EH__

Docket 27

Tentative Ruling:

11/01/2016

The prior hearing was continued for Debtor to (1) provide notice of the continued hearing to her ex-husband and his counsel as well as to the electric company and garnishing creditor; and (2) to provide further evidence that she would be able to confirm and consummate a chapter 13 plan (in particular, the Debtor was to provide an specificity as to the historical basis for the charitable contribution expense, and explanation regarding the status of the tax returns that were not turned over to the Trustee in her prior case).

Here, the Debtor has failed to file a notice of continuance as required by the Court. In fact, there is no proof of service at all attached to the supplemental declaration of the Debtor.

As to the charitable contributions, the Court is satisfied with the supplemental evidence provided. However, the Debtor has provided no evidence to corroborate her statements indicating that she used the tax return monies for necessary expenses.

Based on the foregoing, the Cout is inclined to DENY the Motion for failure to provide notice and also for failure to prove by clear and convincing evidence sufficient to rebut the presumption that the Debtor's case has not been filed in good faith.

**United States Bankruptcy Court
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10:00 AM

CONT... Elizabeth T Baker
APPEARANCES REQUIRED.

Chapter 13

10/4/16

Service: Proper

Opposition: Due at hearing

Debtor's declaration says that she will file an Application for Shortened Time, but did not file one. The Notice of the Motion says that the hearing is on shortened notice, but an Application for Shortened Time was not required pursuant to the Judge's self calendaring procedures. Regardless, the Notice and Motion were served on 9/8/16, which is more than 21 days prior to the 10/4/16 hearing date; thus it appears that the Motion was set on regular notice, but advised parties that any opposition was due at the hearing.

Debtor alleges that the instant case was filed in good faith to reorganize her debts. Debtor alleges that she had to file the instant case because a creditor threatened to turn off her electricity and another creditor was attempting to garnish her wages after dismissal of her last bankruptcy. However, Debtor did not identify these creditors in the notice of the motion. Moreover, Debtor's declaration lacks specificity and does not provide any basis for her assertions that the instant case was filed in good faith or that she will be able to consummate her chapter 13 plan. In addition, Debtor does not address the status of her tax returns and refunds that were the basis for dismissal of her prior case. Last, the Court will require evidence of historical charitable contributions.

Additionally, the Court will require the Debtor to serve Clarence Baker, and his counsel of record (if not already served) with the notice and motion.

Based on the foregoing, the Court's tentative ruling is to CONTINUE the hearing on the Motion to allow Debtor to address the issues set forth above.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Elizabeth T Baker

Represented By
Nancy Korompis

**United States Bankruptcy Court
Central District of California
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10:00 AM

CONT... Elizabeth T Baker

Chapter 13

Movant(s):

Elizabeth T Baker

Represented By
Nancy Korompis

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-18000 Tania Stevenson

Chapter 7

#12.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2011 HYUNDAI ACCENT, VIN
KMHCN4AC6BU609650

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 8

Tentative Ruling:

Tentative Ruling:

11/8/16

Service: Proper

Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001
(a)(3) stay. GRANT requests under ¶¶ 2 & 12. Alternate request for adequate
protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Tania Stevenson

Represented By
Todd L Turoci

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
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10:00 AM

CONT... Tania Stevenson

Chapter 7

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 08, 2016

Hearing Room 303

10:00 AM

6:16-19328 Kailyn Valle

Chapter 7

#13.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 23132 Trillium Dr., Wildomar, CA 92595

MOVANT: ARP 2014-1 BORROWER, LLC

EH__

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kailyn Valle

Pro Se

Movant(s):

ARP 2014-1 BORROWER, LLC

Represented By
Scott Andrews

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Hearing Room 303

2:00 PM

6:16-14273 Allied Injury Management, Inc.

Chapter 11

#14.00 First Omnibus Objection of Debtor-In-Possession Allied Injury Management, Inc.
Seeking Disallowance of Certain Proofs of Claim

Also #15

EH

Docket 83

***** VACATED *** REASON: CONTINUED TO 12/6/16 AT 2:00 P.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Injury Management, Inc.

Represented By
Alan W Forsley

Movant(s):

Allied Injury Management, Inc.

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 08, 2016

Hearing Room 303

2:00 PM

6:16-14273 Allied Injury Management, Inc.

Chapter 11

#15.00 Motion to Appoint Trustee Cambridge Medical Funding Group II, LLC's Motion for Order Appointing Chapter 11 Trustee

Also #14

EH__

Docket 94

***** VACATED *** REASON: CONTINUED TO 11/15/16 AT 2:00 P.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Injury Management, Inc.

Represented By
Alan W Forsley

Movant(s):

Cambridge Medical Funding Group

Represented By
Kenneth Hennesay